

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.27) - SMALL BUSINESS CONCERN**

Applicant or Patentee: Herman Presby et al.
Title: TRANSMISSION OF FREE-SPACE OPTICAL COMMUNICATION SIGNALS THROUGH WINDOWS

☐ the specification filed herewith;
☐ Application No. _____, filed _____;
☒ Patent No. 6,847,496, issued January 25, 2005.

I hereby declare that I am:

☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below.

Name of Small Business Concern: Terabeam Corporation
881 North King Street, Suite 100
Address of Small Business Concern: Northampton, MA 01060

I hereby declare that the above-identified small business concern qualifies as a "small business concern" as defined in 13 CFR part 121, for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

Further Assignment

☒ I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described above.
☐ Verified statements by all entities to whom rights to the invention have been transferred, or to whom there is an obligation to transfer rights, are attached hereto

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.27(g)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: David L. Renaud
Title of Person if Other than Owner: Vice President, Corporate Affairs and General Counsel
881 North King Street, Suite 100
Address of Person Signing: Northampton, MA 01060

Signature

David L. Renaud

Date

May 21, 2008